

REMARKS

Applicant extends thanks to Examiner Ham for the courtesy of a telephone interview on May 4, 2006. Pursuant to that interview, Applicant files this Amendment After Final Rejection under 37 C.F.R. § 1.116 to correct informalities and provide amendments to place the application in condition for allowance.

Claims 1-26, 29, 31-40, and 42-78 are currently pending in this application. By this paper Claims 1-4, 8, 9, and 68, are canceled, and Claims 5-7, 10-13, 17-20, 31, 44, 47, 56, and 69 have been amended to correct informalities and to place the application in condition for allowance. The amendments contain no new matter and are fully supported in the specification.

Rejection of Claims under 37 C.F.R. 1.142(b)

On page 2 of the pending Office Action, the Examiner withdrew from consideration Claims 44-46 and 49-67 as being directed to a non-elected invention. Specifically, Examiner asserts that the original invention relates to a cluster resonator structure as exemplified in Figs. 21 and 22, whereas the subject Claims relate to an apparatus for suppressing electromagnetic interference as exemplified in Fig. 25, the apparent salient difference being the inclusion of an interior signal via in Fig. 25. Applicant notes that Examiner's position appears inconsistent with her previous positions on this issue. For example, Claims 26 and 69, which include interior vias comprising portions of transmission lines for passing electrical signals, have already been deemed patentable (except for a provisional rejection of Claim 26 for obviousness-type double patenting over copending Application No. 10/796,398). To more clearly distinguish the subject matter, applicant has amended the preambles of independent Claims 44 and 56 to delete reference to the invention as "An apparatus for suppressing electromagnetic radiation" and substituting therefor "A cluster resonator" in harmony with the other pending Claims. The subject dependent Claims have also been slightly amended consistent with this change. Applicant prays the Examiner will be persuaded by these comments and find Claims 44-46 and 49-67 now in condition for allowance.

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Claim Objections

On page 2 of the pending Office Action, Examiner objects to Claim 31 as being in improper form for referring to multiple dependent claims which should be referred to only in the alternative. Claim 31 has been amended accordingly.

Double Patenting

On page 3 of the pending Office Action, Examiner provisionally rejects Claims 1-1, 29, 31-40, 42, 43, 47, and 48 for obviousness-type double patenting over claims 10-39 of copending Application No. 10/796,398. In order to expedite allowance of the pending claims, Applicant, has filed a terminal disclaimer in compliance with 37 C.F.R. 1.321(c) for commonly owned applications.

Claim Rejections – 35 U.S.C. § 102

On pages 3-6 of the pending Office Action, Examiner rejects Claims 1-4, 7, 9, 10, 12-16, 42, 47, and 68 under 35 U.S.C. 102(b) as being anticipated by Devoe et al. (U.S. Patent No. 6,542,352). Accordingly, Claims 5 and 6 have been rewritten in independent form incorporating Claim 1 and all intervening claims. Claims 12 and 13 have been amended to depend on allowable independent Claims 5 or 6 and are, therefore, in condition for allowance. Claims 7, 10, 11, and 17-20 have been amended to depend on independent Claim 5. Claim 69 has been rewritten in independent form incorporating Claim 68. Claims 69-78 depend from allowable independent Claim 68 and are, therefore, also in condition for allowance. Claims 1-4, 8, 9 and 68 have been cancelled.

Claim Rejections 35 U.S.C. § 103

On pages 6-7 of the pending Office Action, Examiner rejects Claims 17-19 under 35 U.S.C. 103(a) as being anticipated by Devoe et al. (U.S. Patent No. 6,542,352). Claims 17-19 have now been amended to depend on allowable independent Claim 5 and are, therefore, believed to be in condition for allowance.

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REQUEST FOR ALLOWANCE

In view of the claim amendments it is submitted that pending Claims 5-7, 10-26, 28, 31-40, 42-67, and 69-78, are patentable and are in condition for allowance. Applicant respectfully requests entry of this Amendment After Final Rejection and requests issuance of the claims. A Notice of Allowance is solicited.

Respectfully submitted,
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